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Dkt No. 96700/596

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jan Geliebter, George J. Christ, Arnold Melman, and Jamil Rehman
Serial No. : 09/531,969
Filed : March 21, 2000
For : GENE THERAPY FOR REGULATING SMOOTH MUSCLE TONE
Examiner : Peter Paras, Jr.
Group Art Unit : 1632

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**NOTICE OF APPEAL AND
PETITION FOR A TWO MONTH EXTENSION OF TIME**

Commissioner for Patents
Washington, D.C. 20231
Box AF

Sir:

"Express Mail" mailing label No. EV 031302244 US

Date of Deposit: December 20, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Name: Alan D. Miller

Signature: 

Pursuant to 37 C.F.R. §1.191, applicants appeal the Examiner's final rejection of the claims set forth in the Office Action issued July 29, 2002 in connection with the above-identified application. Applicants also request a two month extension of time for filing this Notice. With that extension, this Notice is due on December 29, 2002 and is being timely filed. A check for \$360, to cover the \$160 Notice of Appeal fee and the \$200 two month extension of time fee, for a small entity, is enclosed.

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02 FC:2252

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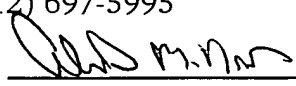
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No fee, other than the enclosed \$360.00, is deemed necessary in connection with the filing of this Notice of Appeal and petition for a two month extension of time. However, if an additional fee is required to maintain the pendency of the subject application, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 01-1785. Overpayments may also be credited to Deposit Account No. 01-1785.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN
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Dated: New York, New York
December 20, 2002

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